

STATEMENT

AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION (APCIA)

**H.B. No. 6916 – AN ACT EXPANDING REMEDIES AND POTENTIAL LIABILITY FOR
UNREASONABLY CONTESTED OR DELAYED WORKERS' COMPENSATION
CLAIMS**

LABOR AND PUBLIC EMPLOYEES COMMITTEE

February 26, 2019

The American Property Casualty Insurance Association (APCIA)¹ appreciates the opportunity to comment on House Bill No. 6916, An Act Expanding Remedies and Potential Liability for Unreasonably Contested or Delayed Workers' Compensation Claims. With members comprising nearly 60 percent of the U.S. property casualty insurance market, APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association.

Current Connecticut statutes provide that the benefits provided under workers' compensation shall be the exclusive remedy for injured workers. In other words, employees injured on the job are not permitted to make a tort liability claim against their employers. The proposed legislation would upend the exclusive remedy doctrine entirely and grant claimants another cause of action. This would open the floodgates for increased litigation, bogging down the courts and, ultimately, would drive up the cost of doing business in Connecticut.

Further, it is important to note that Connecticut already enjoys an extremely generous and robust workers' compensation system. The proposed legislation is unnecessary because current statute presently provides for a very generous benefit to workers' compensation claimants. In fact, under current statute, a claimant is eligible to receive attorneys' fees as well as twelve percent interest on compensation that is improperly withheld. There are also ample remedies available under current law in the event that a claimant has been subject to instances of unreasonable delay (see sections 31-284c and 31-288). Enacting such legislation would be unprecedented across the country and would do serious harm to the current economic climate.

For the foregoing reasons, APCIA urges your Committee NOT to advance this bill.

¹ Effective January 1, 2019, the American Insurance Association (AIA) and the Property Casualty Insurers Association of America (PCIAA) merged to form the American Property Casualty Insurance Association (APCIA). Representing nearly 60 percent of the U.S. property casualty insurance market, APCIA promotes and protects the viability of private competition for the benefit of consumers and insurers. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. APCIA members represent all sizes, structures, and regions, which protect families, communities, and businesses in the U.S. and across the globe.